

PLANNING COMMISSION MEETING MINUTES

On this the 16th day of December 2015, the Planning Commission of the City of Rosenberg, Fort Bend County, Texas, met in a regular meeting at the Rosenberg City Hall Council Chamber, 2110 4th Street, Rosenberg, Texas 77471.

COMMISSIONERS PRESENT

James Urbish	Planning Commissioner Chairperson
Lester Phipps, Jr.	Planning Commission Vice Chairperson
Wayne Poldrack	Planning Commission Secretary
Sergio Villagomez	Planning Commissioner
Charlotte Davis	Planning Commissioner

NOT PRESENT

Steven Monk	Planning Commissioner
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STAFF PRESENT

Susan Euton	Councilor, District No. 2
Charles Kalkomey	City Engineer
Travis Tanner	Executive Director of Community Development
Ian Knox	Planning Administrator
Janet Eder	Senior Administrative Specialist

OTHERS PRESENT

Franklin Schodek	Henry Steinkamp, Inc. (Cole Avenue Division No. 1)
George Villarreal	Villa Construction (Jones Meadow)

CALL TO ORDER

Chairperson Urbish called the meeting to order at 5:02 p.m.

AGENDA

1. CONSIDERATION OF AND ACTION ON MINUTES OF THE REGULAR PLANNING COMMISSION MEETING OF NOVEMBER 18, 2015.

Action Taken: Commissioner Poldrack moved, seconded by Commissioner Villagomez to approve the minutes of the Regular Planning Commission Meeting of November 18, 2015 as presented. The motion carried unanimously by those present.

2. CONSIDERATION OF AND ACTION A PRELIMINARY PLAT OF COMMUNITY FOCUS FOUNDATION, A SUBDIVISION OF 43.8605 ACRES OF LAND OUT OF WILLIAM LUSK SURVEY, ABSTRACT NUMBER 276, CITY OF ROSENBERG, FORT BEND COUNTY, TEXAS; 1 RESERVE AND 1 BLOCK.

Executive Summary: The Preliminary Plat of Community Focus Foundation consists of 43.8605 acres and one (1) proposed reserve. The property is located on the south side of Rohan Road, approximately 500' east of FM 2977, and within the City Limits of the City of Rosenberg.

Existing improvements are located on the eastern approximately one third (1/3) of the property. The improvements consist of a stadium and related improvements (e.g., parking). The stadium and adjoining vacant property to the west are owned by one (1) property owner. The property currently consists of two (2) tracts and the owner has chosen to plat it into one (1) reserve and would like to construct a gymnasium to the west of the stadium and use the overall property as an activity center. Platting the property will, among other things, eliminate the property line between the two (2) properties and help to avoid building setback line issues. A pre-development meeting with City staff was held several

months ago at which staff explained parking, restrooms, and other types of code requirements for the facility at hand.

The property currently has access to City water in the Rohan Road right-of-way, but lacks access to public sanitary sewer service. In the plat, the applicant has proposed to dedicate right-of-way for Rohan Road in compliance with City requirements.

There being no conflicts with applicable regulations, staff recommends approval of the Preliminary Plat of Community Focus Foundation.

Key Discussion

- Mr. Tanner presented the item and reviewed the Executive Summary.
- Vice Chairperson Phipps inquired if the City had plans to provide public sanitary sewer service.
- Mr. Tanner replied that he did not believe public sanitary sewer service to the area was included in the capital improvements plan. The property currently has access to City water in the Rohan Road right-of-way, but lacks access to public sanitary sewer service.
- Commissioner Poldrack inquired about the type of public sanitary sewer facility.
- Mr. Tanner replied that it would likely be a septic system.
- Commissioner Poldrack inquired about the capacity of a septic system.
- Mr. Kalkomey stated that holding tanks could be installed to store pre-treated sewer.
- Commissioner Poldrack inquired about future plans of the Community Focus Foundation.
- Mr. Tanner replied that the Community Focus Foundation planned to construct an indoor gymnasium to the west of the stadium.
- Commissioner Poldrack inquired about parking requirements.
- Mr. Tanner replied that an indoor gymnasium would be considered assembly use, therefore, one parking space would be required for every four seats. One parking space would be allowed for every 45 square feet, without fixed seating.

Action Taken: Vice Chairperson Phipps moved, seconded by Commissioner Villagomez to approve the Preliminary Plat Community Focus Foundation, a subdivision of 43.8605 acres of land out of William Lusk Survey, Abstract Number 276, City of Rosenberg, Fort Bend County, Texas; 1 reserve and 1 block. The motion carried unanimously by those present.

3. CONSIDERATION OF AND ACTION ON A PRELIMINARY PLAT OF JONES MEADOW REPLAT, A SUBDIVISION OF A 0.752 ACRE TRACT BEING A REPLAT OF JONES MEADOW SUBDIVISION RECORDED IN FILM CODE NO. 20050149, F.B.C.M.R. IN THE JAMES LOWERY 1/3 LEAGUE, ABSTRACT NO. 275, CITY OF ROSENBERG, FORT BEND COUNTY, TEXAS; 3 LOTS, 1 BLOCK AND NO RESERVES.

Executive Summary: The Preliminary Plat of Jones Meadow consists of 0.752 acres located at the northwest corner of Airport Avenue and Jones Street, within the City Limits. The subject property was originally platted as Jones Meadow in 2005 (attached for review). Jones Meadow is a single-family residential subdivision consisting of four (4) lots. The owner wishes to replat the property into three (3) duplex lots.

It should be noted that, for replats of subdivisions restricted to single-family residential use, a public hearing is generally required and certain notifications must take place in the newspaper and to property owners within the original subdivision. These notifications must occur fifteen (15) days before the hearing is held. This is pursuant to State law and the City's "Subdivision" Ordinance. However, there is no specification as to whether the hearing must occur at Preliminary or Final Plat. Because of this, and the advance notice required by law, staff will schedule the hearing and meet all notification requirements at the time of Final Plat.

As far as the proposed Plat itself is concerned, it meets the "Subdivision" Ordinance requirements pursuant to Section 25-114 related to duplex subdivisions. This section of the ordinance essentially requires minimum 8,000 square foot lots, eighty (80) feet in width, as well as building line and other requirements with which the proposed Plat appears to comply. Seeing no conflicts with applicable regulations, staff recommends approval of the Preliminary Plat of Jones Meadow Replat.

Key Discussion:

- Mr. Tanner presented the item and reviewed the Executive Summary.
- Councilor Euton inquired about public notifications.
- Mr. Tanner replied that the property owner generally notifies the subdivision property owners.
- Commissioner Poldrack inquired about deed restrictions for single-family residential use.

- Mr. Tanner replied that deed restrictions apply to residential lots within the Plat. Since the owner would like to replat the property into three (3) duplex lots, the property would then be considered duplex lots.
- Mr. George Villarreal, Villa Construction, 602 Winston Lane, Sugar Land, Texas 77479, stated that there are no deed restrictions at this time.
- Commissioner Poldrack inquired about the location of parking.
- Mr. Villarreal stated that each duplex would include a two-car garage at the front of the building.
- Chairperson Urbish inquired if the duplexes were for sale or for rent.
- Mr. Villarreal replied that the duplexes would be for rent.
- Commissioner Poldrack inquired if Jones Street was considered a collector street.
- Mr. Tanner replied that Jones Street was not a collector street.

Action taken: Commissioner Villagomez moved, seconded by Commissioner Davis, to approve the Preliminary Plat of Jones Meadow Replat, a subdivision of a 0.752 acre tract being a replat of Jones Meadow Subdivision recorded in Film Code No. 20050149, F.B.C.M.R. in the James Lowery 1/3 League, Abstract No. 275, City of Rosenberg, Fort Bend County, Texas; 3 lots, 1 block and no reserves. The motion carried unanimously by those present.

4. CONSIDERATION OF AND ACTION ON A SHORT FORM FINAL PLAT OF COLE AVENUE DIVISION NO. 1, BEING A 1.161 ACRE TRACT OF LAND BEING IN THE J.W. MOORE ¼ LEAGUE, ABSTRACT NO. 61; CITY OF ROSENBERG, FORT BEND COUNTY, TEXAS; 0 LOTS, 1 BLOCK, 2 RESERVES.

Executive Summary: The Short Form Final Plat of Cole Avenue No. 1 is 1.161 acres located southeast of Highway 90A, and directly west of the intersection of Cole Avenue and Ida Street. The tract is located in the City Limits, within one thousand feet (1000') of the centerline of U. S. Highway 90A / Avenue H east of State Highway 36 West, and therefore will be subject to the Interim Corridor Standards when developed. Access will be from Cole Avenue.

There is an existing car wash on Reserve "B" whereas Reserve "A" is likely to be developed/redeveloped. The purpose of this plat is to plat out raw acreage for commercial development, and there are no issues in conflict with the applicable regulations. Therefore staff recommends that the Planning Commission recommend approval to City Council of the Short Form Final Plat of Cole Avenue Division No. 1.

Key Discussion:

- Mr. Tanner presented the item and reviewed the Executive Summary.
- Commissioner Poldrack inquired about future plans for the Reserve.
- Mr. Tanner replied that there were no users in mind at the present time.
- Commissioner Poldrack inquired about street easement requirements and transportation plans.
- Mr. Tanner replied that there were no infrastructure issues or additional right-of-way required per the Thoroughfare Plan.
- Commissioner Villagomez inquired about drainage issues.
- Mr. Tanner replied that existing drainage issues would not be the responsibility of the new owner since the property had been developed prior to ownership. On-site detention may be needed eventually for new development.

Action Taken: Commissioner Poldrack moved, seconded by Commissioner Villagomez to recommend approval to City Council of the Short Form Final Plat of Cole Avenue Division No. 1; being a 1.161 acre tract of land being in the J.W. Moore ¼ League, Abstract No. 61; City of Rosenberg, Fort Bend County, Texas; 0 lots, 1 block, 2 reserves. The motion carried unanimously by those present.

5. CONSIDERATION OF AND ACTION ON A FINAL PLAT OF GLENMEADOW SECTION TWO REPLAT THREE, BEING 2.91 ACRES IN THE JAMES LOWERY 1/3 LEAGUE, ABSTRACT 275, CITY OF ROSENBERG, FORT BEND COUNTY, TEXAS, BEING A REPLAT OF RESERVE A, GLENMEADOW, SECTION TWO; 0 LOTS, 1 BLOCK AND 2 RESERVES.

Executive Summary: The Final Plat of Glenmeadow Section Two Replat Three consists of 2.91 acres and two (2) reserves. It is located within the City Limits on Louise Street (east side), between Avenues P and R.

Reserve "A" was originally platted in 1975 and the applicant/owner wishes to replat it into two (2) reserves to convey one (1) of the reserves for use as an office. A public hearing was required due to this being a replat. Staff finds no conflicts with applicable regulations (building lines, etc.).

The Preliminary Plat of this subdivision was approved by the Planning Commission on November 18, 2015. Seeing no conflicts with applicable regulations, and with the proposed Final Plat being consistent with the approved Preliminary Plat, staff recommends that the Planning Commission recommend approval to City Council of the Final Plat of Glenmeadow Section Two Replat Three.

Key Discussion:

- Mr. Tanner presented the item and reviewed the Executive Summary.

Action Taken: Commissioner Villagomez moved, seconded by Commissioner Davis, to recommend approval to City Council of the Final Plat of Glenmeadow Section Two Replat Three, being 2.91 acres in the James Lowery 1/3 League, Abstract 275, City of Rosenberg, Fort Bend County, Texas, being a replat of Reserve A, Glenmeadow, Section Two; 0 lots, 1 block and 2 reserves. The motion carried unanimously by those present.

6. CONSIDERATION OF AND ACTION ON A FINAL PLAT OF O'REILLY SUMMER LAKES, BEING A SUBDIVISION OF 0.9986 ACRES OF LAND IN THE WILLIAM LUSK SURVEY, ABSTRACT NO. 276, IN THE CITY OF ROSENBERG, FORT BEND COUNTY, TEXAS; 1 BLOCK AND 1 RESERVE.

Executive Summary: The Final Plat of O'Reilly Summer Lakes consists of 0.9986 acres and one (1) reserve. The Plat is located within the City Limits and in Fort Bend County MUD No. 144. Specifically, it is off of FM 2977 (east side), south of FM 762.

The plat will have access from an access easement/drive off of FM 2977 directly across from the existing drive that goes into the AutoZone and Spec's on the opposite side of FM 2977. When property to the immediate north of this plat is platted, it will share this access drive due to the easement as shown on the plat. Both sanitary and storm sewer will need to be extended from Winding Lakes Drive to serve this tract. Easements are being provided, and public infrastructure plans were submitted concurrently with the Final Plat submittal.

The Preliminary Plat of this subdivision was approved by the Planning Commission on November 18, 2015. There being no conflicts with applicable regulations or with the approved Land Plan or Preliminary Plat, staff recommends that the Planning Commission recommend approval to City Council of the Final Plat of O'Reilly Summer Lakes.

Key Discussion:

- Mr. Tanner presented the item and reviewed the Executive Summary.

Action Taken: Commissioner Poldrack moved, seconded by Commissioner Vice Chairperson Phipps to recommend approval to City Council of the Final Plat of O'Reilly Summer Lakes, being a subdivision of 0.9986 acres of land in the William Lusk Survey, Abstract No. 276, in the City of Rosenberg, Fort Bend County, Texas; 1 block and 1 reserve. The motion carried unanimously by those present.

7. CONSIDERATION OF AND ACTION ON A FINAL PLAT OF WALNUT CREEK SECTION THIRTEEN, A SUBDIVISION OF 13.985 ACRES CONTAINING 53 LOTS, 4 BLOCKS AND 0 RESTRICTED RESERVES OUT OF THE WILEY MARTIN LEAGUE, A-56, FORT BEND COUNTY, TEXAS.

Executive Summary: The Final Plat of Walnut Creek Section Thirteen is a proposed subdivision consisting of fifty-three (53) lots and four blocks on 13.985 acres of land located off of Irby Cobb Boulevard in the northeast part of the Walnut Creek Development. The proposed Plat is located in the Extraterritorial Jurisdiction (ETJ) and in Fort Bend County MUD No. 152, east of Walnut Creek Section 12.

The Planning Commission approved the Preliminary Plat of Walnut Creek Section Thirteen on May 20, 2015. Pursuant to the "Subdivision" Ordinance, the applicant requested an extension of that approval by 180 days from the date of its expiration. The request was granted on November 18th, 2015 to give the applicant an extra month to submit the Final Plat.

Seeing no conflicts with applicable regulations, and with the proposed Final Plat being consistent with the approved Preliminary Plat, staff recommends that the Planning Commission recommend approval to City Council of the Final Plat of Walnut Creek Section Thirteen.

Key Discussion:

- Mr. Tanner presented the item and reviewed the Executive Summary.
- Commissioner Poldrack inquired about the proposed Irby Cobb extension.

- Mr. Kalkomey replied that Irby Cobb Boulevard will extend across Benton and will serve as a connection to A Meyers Rd.

Action Taken: Commissioner Villagomez moved, seconded by Commissioner Poldrack to recommend approval to City Council of the Final Plat of Walnut Creek Section Thirteen, a subdivision of 13.985 acres containing 53 lots, 4 blocks and 0 restricted reserves out of the Wiley Martin League, A-56, Fort Bend County, Texas. The motion carried unanimously by those present.

8. REVIEW AND DISCUSS A PRESENTATION BY OJALA PARTNERS, LP, REGARDING SUMMER PARK PLANNED MULTI-FAMILY DEVELOPMENT, AND TAKE ACTION AS NECESSARY TO DIRECT STAFF.

Item #8 was pulled from the agenda at the request of the applicant/developer.

9. REVIEW AND DISCUSS BAGGER ICE PROPOSAL AS IT RELATES TO INTERIM CORRIDOR STANDARDS, AND TAKE ACTION AS NECESSARY TO DIRECT STAFF.

Executive Summary: Staff has been presented with the attached correspondence and renderings. The applicant, Bagger Ice, would like to place predominantly metal buildings from which ice will be sold on major corridors throughout Rosenberg. The first site they have selected is 2319 Avenue I (northwest corner of Avenue I and 7th Street). Current development on the property consists of a car wash.

Staff has placed this item on the agenda to receive direction from the Planning Commission going forward in order to work with the applicant. Recently, Interim Corridor Standards (Standards) were adopted by City Council (see attached excerpt) to replace the West Fort Bend Management District standards and to provide for minimal controls, mostly relating to new development and additions, along State Highway 36 and U. S. Highway 90A / Avenue H. City Council was given the option to not apply the Standards to State Highway 36 and U. S. Highway 90A / Avenue H, but ultimately opted to apply them based on exceptions built into the standards for the these specific corridors, the ability to apply for variances, etc.

One of the minimal architectural controls under the Standards is a restriction that new commercial development façades consist of a minimum of seventy-five (75) percent masonry. This obviously serves as a deterrent for structures that are temporary in nature such as mobile offices and other similar structures. When first presented with the Bagger Ice proposal, it was an entirely metal structure, but the applicant has since revised it to include masonry skirting. *It should also be noted that, in order for the proposed site plan to work, the building must be moved to twenty-five feet (25') from the right-of-way of Avenue I and ten feet (10') from the west side property line.*

Since the Standards are relatively new, and they give the Commission the discretion to decide on unique structures such as the subject one/s, staff would like direction going forward as to whether these structures should be prohibited by the standards or if they should be allowed under certain conditions (masonry skirting, based on location, on a case by case basis, etc.). Staff is seeking the Commission's input since this relates to a policy decision on what type of development the Commission and City Council would like to encourage (or not encourage) in the future, to the *right-of-way of Avenue I and ten feet (10') from the west side property line.*

Key Discussion:

- Mr. Tanner presented the item and reviewed the Executive Summary.
- Commissioner Villagomez inquired if the property owner or Bagger Ice was promoting the proposal.
- Mr. Tanner replied that the property owner was not involved in the proposal.
- Councilor Euton inquired if the existing building construction met the City's architectural standards.
- Mr. Tanner replied that the masonry structure met the City's standards.
- Commissioner Poldrack stated that new construction should meet the City's existing architectural standards. Adding structures of this kind was not favored.
- Councilor Euton stated that the applicant needs to meet the present architectural standards.
- Commissioner Poldrack inquired about the cost of the structure.
- Mr. Tanner replied that he was not aware of the cost.
- Chairperson Urbish stated that 2319 Avenue I did not appear to be a good site for installing the structure, because of the present car wash.
- Commissioner Poldrack stated that he did not favor the Bagger Ice proposal, and that the design standards adopted by Council should continue to be followed.
- Commissioner Villagomez inquired if Bagger Ice had other designated sites.
- Mr. Tanner replied that Bagger Ice has numerous locations in mind. The design standard determined in

- the beginning will serve as an example for those to follow.
- Chairperson Urbish stated that requiring seventy-five (75) percent masonry on the structure may reduce future growth in the area.
 - Mr. Tanner stated that the masonry requirement would apply to new construction only, not existing.
 - Commissioner Poldrack inquired if Avenue H and Avenue I were considered corridor streets.
 - Mr. Tanner replied that Avenue H was considered a corridor, as well as properties to the north of Avenue I.
 - Commissioner Villagomez stated that design standards need to be enforced, regardless of whether an area is older.
 - Mr. Tanner stated that specific guidelines have been established by the City.
 - Vice Chairperson Phipps stated that he was not in favor of the Bagger Ice proposal.

No action was taken.

10. CONSIDERATION OF AND ACTION ON REQUESTS FOR FUTURE AGENDA ITEMS.

Executive Summary: This item allows the Planning Commission the opportunity to request that items be placed on future agendas.

Key Discussion:

- Mr. Tanner presented the item and reviewed the Executive Summary.
- Mr. Tanner stated that the City has been working with the consultant who prepared the City's Comprehensive Plan regarding the shared parking and street width issues and more guidance would be received in the future.

No action was taken.

11. ANNOUNCEMENTS.

- Mr. Tanner introduced Ian Knox, Planning Administrator.
- Commissioner Poldrack encouraged Commissioners to visit the newly renovated City Hall Annex facility.

12. ADJOURNMENT.

There being no further business, Chairperson Urbish adjourned the Rosenberg Planning Commission meeting at 6:04 p.m.



Janet Eder
Senior Administrative Specialist